

he is nothing more. And amid the superficial utterances of this well-intentioned gathering a note was struck that if not quite clear will echo with more familiar resonance in future conclaves.

Present at this gathering were Rabbi Wise and Carrie Chapman Catt. The former is reputed to be a Single Taxer; the latter was a member of the Fels Fund Commission, and so presumably of the faith. An opportunity was presented for either of these forward looking persons to come forward in support of the Miami professor. They had nothing to say in defence or elaboration of his contention, the nearest approach to anything fundamental in all the "blatherings" of the Conference.

## To The Landlord— The Processes of Petrification

TO the landlord belongs, not only the land, but the slow processes of petrification through uncounted centuries. Mark Twain tells the story of the man who collected echoes; future generations may tell the tale of those whose newest "fads" will be the amassing of petrified forests.

The *Dearborn Independent* tells interestingly of Ollie Bocker, a lady who owns the only petrified forest in California which she bought of a "realtor" for \$16,000. California is the Mecca of landlordism, and it is appropriate that the newest development of landlordism should be found in that state. To own a petrified forest sets one aside from the common run of mankind as a unique personage.

## Organizer Robinson Permanently In The Field

IT is good news that James A. Robinson, National Organizer of the Commonwealth Land Party, is now permanently engaged as lecturer and organizer for the party.

Mr. Robinson has left California and will proceed direct to Cleveland. From this point he will begin his work, filling lecture dates and organizing party groups wherever possible. Those wishing to secure him for addresses before labor unions, church associations, chambers of commerce, etc., in Ohio, will communicate with J. B. Lindsay, 7410 Franklin Avenue, Cleveland.

From Ohio Mr. Robinson will proceed to other states, where his lecture engagements will be in other hands. Financial support for this work should be forthcoming, for there is no man in the movement whose services are more valuable. Mr. Robinson is an eloquent expounder of the economic gospel as it is in George, a ready debater, and a real power on the platform. We shall furnish from issue to issue of LAND AND FREEDOM full reports of his work as it proceeds.

## The Stolen Lands of England

THE Right Hon. Stephen Walsh, M. P., Secretary for War in the late Labor Government, has succeeded in arousing the Landlords of Britain to attempt a "Reply" to his charges of "Stolen Lands." Mr. Walsh has been making very good use of the historical information published by the C. L. P. in their weekly journal, *The Commonweal*, and, of course, the press has had to take notice of the utterances of a Cabinet Minister. So it comes about that the Central Landowners' Association, alarmed at the unusual publicity given to their monopoly, have rushed into print with an "Official Reply," published in *The Times*, for December 16th last. The article is a piece special pleading which, so far from "refuting the charges," as was hoped, confirms them. If this is the best defence that the Landlords can put up, then the oftener they do it the better. Readers of LAND AND FREEDOM will be interested to read the "reply" for themselves and accordingly it is reprinted in full hereunder.

"Land and The People." "Socialist Charges Refuted." "A Page of History." These are the captions under which the article appears in *The Times*.

"A speech made by the Right Hon. Stephen Walsh, then Minister for War, at Radcliffe, Manchester, was reported in *The Times* of October 27, 1924. In that speech Mr. Walsh is reported to have spoken of 'the restitution of the stolen lands to the people' and of 'the awful robbery' of land by landlords in the 18th and 19th centuries. 'No more infamous records,' he is reported to have added, 'had been established in England,' and 'no more infamous robbery.'

"The insistence on the recurrent phrases of 'stolen lands,' 'awful robbery,' 'infamous robbery,' constitutes a serious charge against the landowners of this country. It is unthinkable that Mr. Walsh would have given the weight of his public services and the authority of a Minister of the Crown to so grave an accusation, unless he had believed it to be true. We therefore desire to put on record some historical facts which, in our opinion, show the charge to be unfounded.

"The restitution of the stolen lands to the people' necessarily implies that the land of this country was at one time owned by the people. In the earliest records of Saxon times there is no trace of such ownership; but there is abundant evidence that land was owned by individuals. For more than 13 centuries, therefore, the State has sanctioned private ownership.

"But Mr. Walsh specifies the particular period—the 18th and 19th centuries—at which, as he alleges, landlords robbed the people of the land. Apparently he refers to the operation of the Enclosure Acts, which broke up the village farms by redistributing their common-fields and common-pastures in compact freehold blocks. It is, of course, true that in 1760 one-half or one-third of the cultivated land of England was occupied by groups of occupiers who tilled and grazed it in common, and that, by 1875, practically the whole of the land was occupied by individuals who cultivated it with the aid of wage-earning workers. This transformation was part of the industrial movement which within the same period changed

a thinly populated agricultural and pastoral country into the densely crowded manufacturing and commercial England of today. So far as land is concerned, the chief instrument of change was enclosures. If, therefore, we know why they were brought into operation and what they actually did we shall be in a position to meet the charge of 'awful,' 'infamous robbery.'

### VILLAGE FARMS

"A village farm consisted of a small acreage of meadow, a great expanse of tillage, and a pasture-common. The arable land was cultivated by the village farmers in common, each occupier holding a bundle of scattered strips, generally oblong in shape, varying in size, separated from one another, and often a mile apart. In virtue of this arable holding each occupier enjoyed grazing rights over the pasture attached to the farm and, after the crops were cleared, over the meadows and ploughlands from harvest to seed-time. From this common user of the land that tillage was spoken of as the common-fields and the pasture as the common. In most villages there were also privileged cottages, the occupiers of which, though not holders of arable land, enjoyed grazing rights over the common pasture. No member of the general public had any rights over the common tillage and pasture of the village farm. Both were integral parts of the holdings of the village partners, who jealously guarded them from the intrusion of strangers and their live stock. They in no way resembled those commons of today which are dedicated to public use.

"Holders of arable land in the common-fields and of the rights that it carried over the common pasture held it by every sort of title. Some of the occupiers owned their holdings as freeholders; others occupied them as copyholders of various grades—as leaseholders, for lives on terms of years; as tenants, from year to year or at will. Cottagers occupied their cottages by similar variety of tenure: some as freeholders, other as copyholders, others as leaseholders, and so on. Some were squatters who had either gained freeholds by lapse of time or occupied on sufferance. The variety of tenure and of title is a matter of supreme importance in the discussion.

"Village farmers farmed as they farmed centuries before. They were bound by the same rigid rules of cropping, followed the same unvarying rotation of corn and triennial fallow, used the same implements, kept the same class of live-stock. They raised enough food for themselves; they produced little, if anything for sale. They formed isolated, self-supporting, self-sufficing communities. In those easy-going days it did not matter. Before the middle of the 18th century no demand for change arose, either from an improved agriculture or from a growing population. But from 1760 onwards pressure was increasingly felt from both directions. The resources of agriculture were multiplied by the use of such new crops as roots and artificial grasses, and by improvements in the science and art of stock-breeding. The means were known by which the production of food could be doubled. But so long as village farmers turned their cattle and sheep on to the common arable fields from harvest to seed-time it was impossible to grow either turnips or clover, and so long as their stunted live-stock were promiscuously herded on the worn-out common pasture it was idle to think of improving the breeds. If an urgent demand for food arose, it could not be met from land occupied by village farmers. After 1760 that demand came with rapidly increasing insistence. With the invention of machinery

manufacturers developed; domestic handicrafts were swept into factories; population leaped upwards; it gathered in great industrial centres; it shifted from the South to the North. New manufacturing districts cried out for "Bread and Meat," and, as the century drew to its close, the cry was swollen by the panic-stricken clamour of a nation engaged in war and haunted by the spectre famine. In this difficult crisis village farms seemed to prevent land from being put to its most productive use, to be a menace to the national supply of food, and an obstacle to the manufacturing expansion of England.

### THE ENCLOSURE ACTS.

"Economically, the compulsory break-up of village farms may be justified by the urgent necessity of increased supplies of food, and by the success of the new system in securing the required increase. In 1840 England fed from its own sources a population which since 1760 had doubled. If the nation was to develop on manufacturing lines, the village farmer must be sacrificed to the artisan. But no reasonable man can say that the social and economic results of the sacrifice, taken together, have been wholly good or wholly bad.

"Proceedings in the enclosure of the common-fields and pasture-common of a village farm began with a petition to Parliament, signed by a three-fourths or four-fifths of the owners, the majority being based on values and not on numbers. When the petition reached Parliament a Private Bill for the enclosure of the locality was by leave of the House introduced, read twice, and then referred to a Committee of selected members. The Committee, after receiving counter-petitions and hearing evidence, reported that the Standing Orders had or had not been complied with; that the contents of the petition were or were not true; and that the required majority of owners had or had not consented. On the Committee's Report the Bill was either thrown out or read a third time, passed, and sent to the Upper House.

"After 1801 the proceedings were shortened by the passing of a General Act. When the Act was finally passed the Commissioners, usually three or five in number, visited the village, held public meetings, heard claims, and prepared their award. On valuations of land or of common-rights their decisions were final; on questions of title an appeal was allowed to Quarter Sessions or the Assizes. Surveyors were also employed to measure and value every distinct parcel of land. Many of these award maps are beautifully drawn and show the care with which the work was done.

"The general principle of the award was to substitute the ownership of a compact block of freehold land for the ownership of a bundle of scattered strips and rights of common. It was the duty of the Commissioners to make the substituted land as nearly as possible the equivalent in value of the former holding. Enclosures did not necessarily involve a transfer of ownership from one person to another; what they did was to change the nature of the property owned. All occupiers who could show an independent title were recognized as owners and were awarded a block of land. On the other hand, occupiers, whether of land or privileged cottages, who paid rent for their occupations, were not recognized as owners and received no allotment. As a matter of fact, the immediate effect of an enclosure was to increase rather than diminish the number of freeholders, since copyholders of inheritance and leaseholders for lives, as well as commoners, were often admitted.

## TWO EXAMPLES

"The awards speak for themselves. They show that the enclosed and redistributed common-fields and commons of a village farm were owned by the same owners as before enclosure. Two instances may be quoted, one the beginning, the other at the end of the period specified by Mr. Walsh.

"In 1767 the land of the village farm at Steeple Aston, Oxfordshire, was enclosed. The area dealt with was 988 acres. Twenty-three owners were recognized and received freehold allotments of land corresponding in value to their former holdings. The principal landowners of the neighborhood, Sir C. Cottrell-Dormer, received 63 acres; Jacob Watson, Lucy Buswell and Judith Lamely received respectively 116 acres, 84 acres, and 56 acres. One leasehold claim was recognized. One cottager received 1 acre 23 poles for his rights of common. The expenses of the enclosure were, it may be added, borne by the 15 chief allottees in proportion to their allotments; but nothing was charged to the smallest owners.

"The second instance is taken from the Return of the Enclosure Commissioners in 1876. It shows that from 1845 to 1875 590,000 acres were enclosed and divided among 25,930 people. Of these, on an average, 520 Lords of Manors received 44½ acres each, and 21,810 common-right owners 24 acres each. Of the classes among whom the land was distributed, 12,527 were "yeomen and farmers, shopkeepers and tradesmen, laborers and miners and artisans."

It may be admitted that the proceedings of Enclosure Acts were high-handed, as they always are where compulsion is applied; that a Parliament of landowners may not always have been disinterested; that there was room for favoritism; that mistakes were made and injustices done. But, however much is made of all these admissions, the results falls infinitely short of Mr. Walsh's charge. Let him take the awards themselves, the most reliable proof of what was done, and, in the face of their evidence, let him justify his charge against landowners, if he can."

## THE COMMONWEALTH LAND PARTY'S REPLY TO THIS "REPLY"

THE reply of the Central Landowners' is not very convincing. "The restitution of stolen lands to the people," they say, "necessarily implies that the land of this country was at one time owned by the people." The authors of the reply know better than to deny that this was so, but they seek to limit inquiry to the period subsequent to "earliest Saxon times." They should know that in this matter history begins prior to Saxon times, and that tribal ownership in common was the universal rule. The equal right of every member of the tribe was secured by well-defined tribal law and custom.

Today, less than one million of the present inhabitants of Great Britain hold all the land, while 42 million others are entirely dispossessed. The truth is just this: by many devious tricks which I have not space to set out here, the whole of the land has been stolen, and, no matter how innocently he may have acquired it, every holder of land is actually in possession of stolen property. In this connection, the recent judgment of Lord Darling in the noto-

rious "A" case is of interest. Dealing with the question of the ownership of the £150,000, the proceeds of Sir H. Song's cheque, the learned judge said: "Whose money is it? If it is stolen from him, in my judgment it remains his still. Nobody can give anybody else a title to it, no matter what transactions are gone through with regard to it." This precisely states the case with regard to the land. It is the people's land still.

"For more than 13 centuries," they say, "the State has sanctioned private ownership." This is not true. Never yet in the history of the British people have they had the chance of "sanctioning" or otherwise. All the "laws" under which land was held were placed upon the statute book by parliaments in which the people had no representation whatever. But suppose "the State" had "sanctioned private ownership," the State can change its mind, and when it does, it will be interesting to see what attitude will be adopted by those who now would seek to rely upon this broken reed of argument. The lawyers who drew up the reply know full well that the State, even in the limited sense of a landlord parliament, has never at any time acknowledged "Private Ownership." The great jurist Coke, (Institutes, p. 488) says "All lands or tenements in England are holden mediately or immediately of the King. For in the law of England we have not any subjects' land which is so holden." I could quote many other authorities to the same effect. Private possession as tenants of the King (typifying the people) but always subject to the right of "eminent domain," as the lawyers themselves denote the power of the Crown to resume possession of any land at any time.

There is, of course, the moral aspect of the question, but lawyers are not greatly concerned with morals.

The account given by the Landowners of the "Village Farms," while of interest historically, is quite beside the point since they omit to make clear the fact that the Enclosures simply completed the theft of the peoples' land which commenced at a very much earlier period. To the present generation, a common signifies an open space reserved for purposes of recreation; what it meant to our grandfathers is well shown by the Hammonds in their book "The Village Laborer."

"The arable fields were divided into strips, with different owners, some of whom owned few strips, and some many. The various strips that belonged to a particular owner were scattered among the fields. Strips were divided from each other, sometimes by a grass band called a balk, sometimes by a furrow. They were cultivated on a uniform system by agreement, and after harvest they were thrown open to pasturage.

"The common meadow land was divided up by lot, pegged out, and distributed among the owners of the strips; after the hay was carried, these meadows, like the arable fields, were used for pasture.

"The common, or waste, which was used as a common pasture at all times of the year, consisted sometimes of

woodland, sometimes of roadside strips, and sometimes of commons in the modern sense."

It is quite true that the open-field method of cultivation was wasteful and uneconomic, but it did at least secure to every villager—not some only, as the Landowners would have us believe—a share in his native land. This share could have been preserved to him when enclosing became necessary had the full rental value of all land been taken for public revenue, as proposed by the C.L.P.

One would suppose, reading the apology of the Landowners, that every consideration was shown to the poor. So sure do they seem of this that they urge Mr. Walsh to take the awards, which they say "speak for themselves," and which are "the most reliable proof of what was done." They give "Two examples." Here are other two, taken at random from the records in my possession made from personal inspection of a large number of the Enclosure Awards.

Braunston, a village in Leicestershire. One thousand five hundred acres of common-fields enclosed in 1801. The rector got 1-7th, and the Duke of Rutland got off with 6-8ths.

Kettering Common, Northamptonshire, 2,300 acres enclosed in 1804. The award runs: "The Right Hon. Lewis Thomas, Lord Sondes, 6-10th parts and the Most Noble Henry, Duke of Buccleuch and Elizabeth his wife, Lord and Lady of the Manor of Kettering, 4-10th parts."

Sometimes there *was* an award of land to the poor. Such lands were usually vested in the "vicar and churchwardens" who, in many instances applied the revenue to the *repair of the church*. In this way very many acres throughout the country have come into hands of the Church.

The following examples of typical "Poor's allotments" will "speak for themselves," as the Landowners say. They are taken from the Records for the county of Suffolk.

| Date | Parish           | Acres enclosed | Poors' Allotment           |
|------|------------------|----------------|----------------------------|
| 1803 | Somerleyton      | 900 acres      | 11 acres                   |
| 1805 | Trimley St. Mary | 500 "          | 4 "                        |
| 1807 | Mildenhall       | 7,000 "        | 100 "                      |
| 1807 | Brandon          | 4,500 "        | 116 "<br>"of sterile land" |

By the Enclosure Act, of 1845, alone, some 320,855 acres of common rights were taken away from the poor. The Royal Commission of 1868 disclosed the fact that only 2,119 acres were allotted to the cottagers.

The Landowners are discreetly silent upon the other Enclosures. They confine themselves to what was done by Parliament Acts. Not a word about the non-Parliamentary theft. Dr. Gilbert Slater has the following to say upon this.

"Early in the eighteenth century there began the great series of private acts of enclosure, of which 4,000 in all, covering some 7,000,000 acres, were passed before the

General Enclosure Act of 1845. *During the same period it is probable that about the same area was enclosed without application to Parliament.*" (Dr. Gilbert Slater, "The Land," Vol. 1, p lxxii.)

It is worthy of note, too, that during the period of the Napoleonic wars, the Landlords were particularly active. A Return issued in 1814 gives a list of 5,328 enclosures, of which 8 only bear date prior to 1700. In 3,067 instances the area enclosed is not given, while for the remaining 2,261 it is stated as 2,520,684½ acres. No less than 1,925 of these enclosures were made when the poor were away fighting for "their country." (1796 to 1815).

Many authorities might be quoted to disprove the suggestion sought to be conveyed by the Landowners. I must content myself with the following. "The strongest argument against enclosures was the material and moral damage inflicted upon the poor . . . the injury inflicted upon the poor by the loss of their common and pasture, whether legally exercised or not, was indisputably great." Mr. R. E. Protheroe, (now Lord Ernle) Land Agent to the Duke of Bedford, in "English Farming, Past and Present."

A large book might be written upon this subject, filled with actual instances collected from the overwhelming mass of evidence in existence, but the foregoing should serve to dispose of the impudent attempt of the Landowners' paid lackeys to falsify history in the interests of the immoral privilege they seek to defend. In a later article I shall describe in detail the procedure of Enclosure, and show how the common was distributed.

Happily signs are not wanting that all such dishonest methods will speedily fail, for on every hand now the question of Land and its ownership is being increasingly discussed. To such discussion there is only one possible issue. The C.L.P. everywhere should seek to re-double their efforts to awaken the common people to the true nature of the fraud now perpetrated upon them by the Landowners.

Not by purchase, nor by step-by-step taxation will this fraud be ended. Only by the immediate collection of all the rent of all the land for the community can "restitution of the stolen land to the people" be effected.

—J. W. GRAHAM PEACE.

THIS is a cruel slam in the *Pittsburgh Post*:  
"A Hazelwood reader has written:

"I am glad to see your repeated reference to the new excellent term, 'big booklet.'

"We have long wanted a descriptive term for the bulky volumes put out by our university men who dub each other 'professor of economics.'

"It was most delightful to discover that you had hit upon the exact title that in two words so aptly and unmistakably indicate both their size and their importance—big for their quantity, booklet for their quality."